



General Assembly

February Session, 2002

***Raised Bill No. 5039***

LCO No. 18

Referred to Committee on Education

Introduced by:  
(ED)

***AN ACT CONCERNING INDOOR AIR QUALITY IN SCHOOLS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (7) of section 10-282 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2002*):

4 (7) "Code violation" means the correction of any condition in an  
5 existing building for public school purposes, the total project costs of  
6 which exceed ten thousand dollars, and which condition is in violation  
7 of the requirements of the State Building, Fire Safety or Public Health  
8 Codes, state or federal Occupational, Safety and Health  
9 Administration Codes, federal or state accessibility requirements or  
10 regulations of the federal Environmental Protection Agency or the  
11 state Department of Environmental Protection, state Department of  
12 Public Health regulations for radon or federal standards for lead  
13 contamination in school drinking water, or the remediation of any  
14 documented indoor environmental quality deficiency not specifically  
15 covered under such codes based on a determination by an agency  
16 having jurisdiction over such matters that the conditions do not meet  
17 published industry standards for indoor environmental quality and

18 cannot be remedied through ordinary maintenance, provided the  
19 applicant submits documentation that the proposed remedies will be  
20 both corrective and preventative.

21       Sec. 2. (NEW) (*Effective July 1, 2002*) As used in this section, sections  
22 10-282, 10-283 and 10-291 of the general statutes, as amended by this  
23 act, and sections 4 and 5 of this act:

24       (1) "Indoor environmental quality" means the quality of facets of the  
25 environment that affect the health of the occupants of school facilities  
26 including, but not limited to, air quality, the presence of radon and  
27 water quality;

28       (2) "School activity hours" means the time of day in which students  
29 or school personnel occupy school facilities;

30       (3) "HVAC system" means the equipment, distribution network and  
31 terminals that provide, either collectively or individually, the process  
32 of heating, ventilation or air conditioning to a building; and

33       (4) "Bioaerosols" means microbiological airborne particles including,  
34 but not limited to, fungi, mold and bacteria.

35       Sec. 3. Section 10-291 of the general statutes is repealed and the  
36 following is substituted in lieu thereof (*Effective July 1, 2002*):

37       (a) No school building project for which state assistance is sought  
38 shall be undertaken except according to a plan and on a site approved  
39 by the [state] Department of Education, the town or regional board of  
40 education and by the building committee of such town or district. No  
41 such school building project shall be undertaken at an expense  
42 exceeding the sum which the town or regional district may  
43 appropriate for the project. In the case of a school building project  
44 financed in whole or in part by an energy conservation lease purchase  
45 agreement, the expense of the project shall not exceed the sum which  
46 the town or regional school district approved for the project. In the  
47 case of a school building project which is a construction, renovation or

48 replacement of a building to be used for public school purposes, the  
49 town or regional board of education and the building committee of  
50 such town or district shall include in its application a Phase I  
51 environmental site assessment in accordance with the American  
52 Society for Testing and Materials Standard E1527, Standard Practice  
53 for Environmental Site Assessments: Phase I Environmental Site  
54 Assessment Process, or similar subsequent standards. A copy of final  
55 plans and specifications for each phase of site development and  
56 construction of all school building projects and for each phase thereof  
57 including site development shall be filed with the Commissioner of  
58 Education subject to the provisions of section 10-292, as amended,  
59 before the start of such phase of development or construction shall be  
60 begun. A town or regional school district may commence a phase of  
61 development or construction before completion of final plans and  
62 specifications for the whole project provided a copy of the latest  
63 preliminary plan and cost estimate for such project which has been  
64 approved by the town or regional board of education and by the  
65 building committee shall be submitted with the final plans and  
66 specifications for such phase. Any board of education which, prior to  
67 the approval of a grant commitment by the General Assembly,  
68 commences any portion of a school construction project or causes any  
69 such project to be let out for bid, shall not be eligible for a school  
70 construction grant until a grant commitment is so approved.

71 (b) The Department of Education may not approve a school  
72 building project plan or site, as applicable, if:

73 (1) In the case of a school building project that is a construction,  
74 renovation or replacement of a building, the Phase I environmental site  
75 assessment indicates that the site cannot, within reasonable  
76 expenditures, meet the criteria for residential properties in regulations  
77 adopted pursuant to section 22a-133k.

78 (2) The site is an area of moderate or high radon potential, as  
79 indicated in the Department of Environmental Protection's Radon

80 Potential Map, or similar subsequent publications, except where the  
81 school building project plan incorporates construction techniques to  
82 mitigate radon levels in the air of the facility.

83 (3) The plans incorporate flat-roof construction that does not have  
84 adequate pitch towards drains in order to prevent pooling of water.

85 (4) In the case of a construction, renovation or replacement of a  
86 school building, the plans do not incorporate the Sheet Metal and Air  
87 Conditioning Contractors National Association's publication entitled  
88 "Indoor Air Quality Guidelines for Occupied Buildings Under  
89 Construction" or similar subsequent publications.

90 Sec. 4. (NEW) (*Effective July 1, 2002*) (a) For purposes of this section  
91 "Standard 62" means the American Society of Heating, Ventilating and  
92 Air Conditioning Engineers Standard 62 entitled "Ventilation for  
93 Acceptable Indoor Air Quality", as incorporated by the State Building  
94 Code adopted under section 29-252 of the general statutes.

95 (b) Each local or regional board of education that, on or after the  
96 date of the adoption of Standard 62, installed or renovated its HVAC  
97 system through a school building project grant pursuant to chapter 173  
98 of the general statutes shall ensure that its HVAC system is (1)  
99 maintained and operated in accordance with Standard 62, and (2)  
100 operated continuously during school activity hours except (A) during  
101 scheduled maintenance and emergency repairs, and (B) during periods  
102 for which school officials can demonstrate to the local or regional  
103 board of education's satisfaction that the quantity of outdoor air  
104 supplied by an air supply system that is not mechanically driven meets  
105 the Standard 62 requirements for air changes per hour.

106 (c) Each local or regional board of education that, prior to the date of  
107 the adoption of Standard 62, installed or renovated its HVAC system  
108 through a school building project grant pursuant to chapter 173 of the  
109 general statutes shall ensure that its HVAC system is maintained and  
110 operated in accordance with the prevailing maintenance and standards

111 at the time of the installation or renovation of the HVAC system.

112 Sec. 5. (NEW) (*Effective July 1, 2002*) Notwithstanding the provisions  
113 of section 10-286 of the general statutes, as amended, the  
114 Commissioner of Education shall not include the area necessary to  
115 support an HVAC system in the calculation of the number of gross  
116 square feet per pupil pursuant to said section 10-286.

117 Sec. 6. Section 10-283 of the general statutes is amended by adding  
118 subsection (d) as follows (*Effective July 1, 2002*):

119 (NEW) (d) No application for a school building project authorized  
120 under subdivision (7) of section 10-282, as amended by this act, for the  
121 purpose of remediation of any documented indoor environmental  
122 quality deficiency shall be accepted unless the application is  
123 accompanied by a report on a review, inspection or evaluation of the  
124 following: (1) Radon levels in the water and the air; (2) potential for  
125 exposure to bioaerosols; (3) chemical compounds of concern to indoor  
126 air quality including, but not limited to, volatile organic compounds;  
127 (4) the degree of pest infestation, including, but not limited to, insects  
128 and rodents; (5) the degree of pesticide usage; (6) the presence of, and  
129 the plans for removal of, any hazardous substances that are contained  
130 on the list prepared pursuant to Section 302 of the federal Emergency  
131 Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (7)  
132 ventilation systems; (8) plumbing, including water distribution  
133 systems, drainage systems and fixtures; and (9) the use of space,  
134 particularly areas designed to be unoccupied.

135 Sec. 7. Section 10-287 of the general statutes is amended by adding  
136 subsection (e) as follows (*Effective July 1, 2002*):

137 (NEW) (e) For any project to correct indoor air quality deficiencies  
138 pursuant to subdivision (7) of section 10-282, as amended by this act,  
139 the commissioner may withhold grant approval if the applicant does  
140 not provide acceptable evidence that building maintenance staff  
141 responsible for such facility are receiving training in all areas of plant

142 operations with specific training relative to indoor air quality.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>July 1, 2002</i>
Sec. 7	<i>July 1, 2002</i>

***ED***

***Joint Favorable C/R***

***ENV***